

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Kentwan Laquintta Lake,	)	
	)	
Plaintiff,	)	Civil Action No. 0:19-416-BHH
	)	
vs.	)	
	)	
	)	<b>ORDER</b>
Mary E. Woods; Ms. Buker; Lt. Hunt; Ofc.	)	
Jones; Ofc. Ellis; Lt. Dalton,	)	
	)	
Defendants.	)	
_____	)	

Kentwan Laquintta Lake ("Plaintiff"), proceeding *pro se*, brought this civil action pursuant to 42 U.S.C § 1983. (ECF. No. 1.) In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina, this matter was referred to United States Magistrate Judge Paige J. Gossett for pretrial handling. The matter is now before this Court for review of the Report and Recommendation ("Report") issued by the Magistrate Judge on October 7, 2019. (ECF No. 82). In her Report, the Magistrate Judge recommends that the action be dismissed for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b) and that Defendants' motion for summary judgment (ECF No. 68) be denied as moot. Objections to the Report were due by October 24, 2019. No objections were filed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the Magistrate Judge's recommendation or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). In the absence of a timely filed objection, a

district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

After a careful review of the record, the applicable law, and the Report, the Court finds no error. Accordingly, the Court ACCEPTS and incorporates the Report (ECF No. 82) by reference into this Order.

It is therefore ORDERED that this action is dismissed with prejudice and the motion for summary judgment (ECF No. 68) filed by Defendants Mary E. Woods, Ms. Buker, Lt. Hunt, and Lt. Dalton, is denied as moot.

IT IS SO ORDERED.

/s/Bruce Howe Hendricks  
United States District Judge

October 30, 2019  
Charleston, South Carolina

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#### **NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.